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Re: MM Docket No. 87-268

Dear Ms. Salas:

May 1, 1998

In its Fifth Report and Order in the above proceeding, the Commission adopted a rule (47 C.F.R. §73.624) imposing a staggered schedule of deadlines for construction of digital television (DTV) facilities by commercial and noncommercial television licensees. Under that schedule, network affiliates in the ten largest television markets are required to complete construction by May 1, 1999, unless an extension is granted by the Commission. Supplementing that rule were voluntary statements of intent by network companies and group owners to construct DTV facilities by November 1, 1998 in certain of those largest markets. In that connection, the Commission has asked these entities to "file reports at six-month intervals, beginning on November 1, 1997, stating that their plans to meet those [voluntary] deadlines are on schedule or specifying any difficulties encountered in attempting to meet those deadlines." ¹

CBS filed its first progress report on November 3, 1997, for the four top-ten markets -- New York, Philadelphia, San Francisco and Detroit -- in which CBS then intended to accelerate construction of DTV facilities beyond the requirements of the rule. As explained below in this second progress report, unavoidable circumstances have made it impossible to complete construction of DTV facilities in Detroit by November 1. However, CBS now intends to complete construction of DTV facilities associated with KCBS-TV in Los Angeles ahead of our original schedule and begin that station's DTV operations by November 1, 1998.

WCBS-DT, Channel 56, New York

WCBS-DT was granted a construction permit on December 17, 1997. A Harris Corp. panel antenna system has been purchased and will be installed on an existing tower atop the Empire State Building when mast reinforcement has been completed. Arrangements have been made with the contractor and its union to

¹ Fifth Report and Order, MM Docket No. 87-268, released April 21, 1997 at ¶¶76-

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accelerate work on this installation reinforcement, which involves coordination with other broadcasters for reduced power operation, by implementing twelve hour shifts for this difficult and hazardous work. A Harris Corp. DTV transmitter has been installed and is operating into test loads. An initial problem in locating a path for the DTV transmission lines has been resolved and their installation has been completed.

CBS currently anticipates that, absent unforeseen circumstances, WCBS-DT will be in operation prior to November 1, 1998.

KYW-DT, Channel 26, Philadelphia

A construction permit application was filed for KYW-DT on April 8, 1998. As described in our November 3 progress report, KYW-DT plans to construct its facilities at the existing KYW-TV transmitter location, which is jointly owned with WPVI-TV, the ABC-owned station in Philadelphia. CBS is leasing DTV antenna space on a new 1277 foot tower to be constructed by WPVI-TV at that location. Construction of the tower base and guy anchor piers has begun, and CBS understands that construction of the tower will begin in June. CBS has ordered a Dielectric DTV antenna for KYW-DT and has retained an architect to design the new transmitter building.

CBS currently anticipates that, absent unforeseen circumstances, KYW-DT will be in operation prior to November 1, 1998.

KPIX-DT, Channel 29, San Francisco

KPIX-DT was granted a construction permit on March 3, 1998. The station will transmit from the Mount Sutro tower in San Francisco, the location of the NTSC transmitters of KPIX-TV and nine other San Francisco area television stations. The Mount Sutro tower facility is managed by a group of four television stations, including KPIX-TV. Joint planning and construction of the DTV facilities at this site is being coordinated by Sutro Tower, Inc. ("Sutro"), the business entity of the tower management group.

Sutro has contracted with Dielectric Communications, Inc. to design and manufacture a ten-station DTV antenna system, along with its associated transmission lines and station combiner system. The transmission lines have been delivered, and a mid-August delivery of the antenna and combiner system is anticipated.

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The installation of the DTV antennas and transmission lines requires the approval of the San Francisco Planning Commission, and Sutro duly filed an environmental impact statement and building permit application with that Commission pursuant to California law. The Planning Commission accepted the environmental impact statement and, on February 26, 1998, granted the building permit to install the antenna system and transmission lines. An appeal of that grant to the San Francisco Board of Supervisors by a neighborhood group has been dismissed for lack of jurisdiction. It is not yet known whether the neighborhood group will pursue an appeal in California Superior Court.

CBS anticipates that, absent a court injunction or other unforeseen circumstances, KPIX-DT will be in operation prior to November 1, 1998.

WWJ-DT, Channel 44, Detroit

A construction permit application was filed for WWJ-DT in April 1998. CBS intends to collocate WWJ-DT with its improved NTSC facility -- WWJ-TV -- on a new tower to be constructed on the site currently occupied by the WWJ(AM) antenna system. All necessary approvals to construct this new tower have been obtained, and the tower vendor is completing the final design.

To avoid potential difficulties in maintaining WWJ(AM)'s directional pattern, which the new TV tower could cause, CBS applied for and the Commission granted a construction permit to relocate the WWJ(AM) antenna system to a new site in Berlin Township, Michigan, on October 10, 1997. Although all other necessary federal and state approvals for construction of the new WWJ(AM) transmitting facilities have been granted, the Berlin Township Board of Supervisors rejected the recommendation of the Berlin Township Planning Commission that the project be approved. CBS commenced litigation against Berlin Township in Michigan state court seeking, among other things, an order directing the township supervisors to approve the project. On April 27, the Board of Supervisors agreed to settle the litigation and allow the AM station relocation plan to go forward.

While we now intend to proceed expeditiously with the AM relocation project, work on the construction of the new TV tower at the present WWJ(AM) antenna site cannot proceed until approximately 20 weeks after the commencement of the radio project. The television tower construction will then take approximately five additional months to complete, absent unforeseeable weather or other delays.

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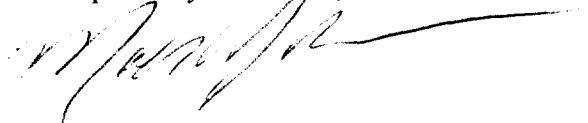
Because of these unavoidable circumstances, the November 1, 1998 voluntary deadline for completion of construction and commencement of the operation of WWJ-DT cannot be met.

KCBS-DT, Channel 60, Los Angeles

A construction permit application for KCBS-DT was filed in April 1998. Along with other licensees planning to construct DTV facilities at the antenna farm on Mount Wilson, CBS has been in discussions with the electric utility to provide additional power to the site to support these DTV operations. The utility has committed to providing that increased power capacity by October 1. CBS has ordered a Harris DTV transmitter and is negotiating with Dielectric to purchase a DTV antenna system. CBS is also in discussions with a structural engineer to define the tower modifications that might be required to support the new DTV antenna and transmission line. Concurrently, discussions are being held with architects to determine the building, ventilation and electrical modifications required for this project.

Assuming that the electric utility's commitment to provide increased capacity by October 1 is met and that no other unforeseen circumstances are encountered, CBS anticipates that KCBS-DT will be in operation by November 1, 1998.

Respectfully submitted,



Magalie Roman Salas

Secretary

Federal Communications Commission

1919 M Street, N.W., Room 222

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cc: Chairman William E. Kennard
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